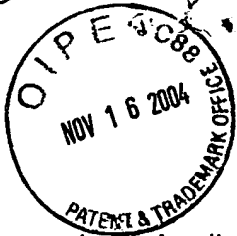


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11-17-04

AF | 3764



PATENT

Attorney Docket No. 101.0053-00000

Customer No. 22882

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Gary K. Michelson)
Serial No.: 08/480,908)
Filed: June 7, 1995)
For: THREADED FRUSTO-CONICAL)
INTERBODY SPINAL FUSION)
IMPLANTS)

Group Art Unit: 3764
Examiner: M. Brown

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RECEIVED
NOV 24 2004
TECHNOLOGY CENTER R3700

Sir:

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

Express Mail Mailing Label No. ED541942648US

Date of Deposit: November 15, 2004

I hereby certify that:

1. Transmittal form (in duplicate; \$212.00 additional claims fee charged to Deposit Account No. 50-1066)
2. Amendment
3. Third Request for Interference Under 37 C.F.R. § 41.202(a) with Proposed Count and 2 Claim Charts
4. Self-addressed return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: November 15, 2004


Sandra L. Blackmon

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030



PATENT
 Attorney Docket No.: 101.0053-00000
 Customer No. 22882
 Express Mail Label No. ED541942648US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson

Serial No: 08/480,908

Filed: June 7, 1995

For: THREADED FRUSTO-CONICAL
 INTERBODY SPINAL FUSION IMPLANTS

Art Unit: 3764

Examiner: M. Brown

Mail Stop AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Dear Sir:

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Transmitted herewith is an Amendment for the above-identified application.

- ☐ No additional fee is required.
- ☐ Applicant hereby requests a ***-month extension of time to respond to the above office action.
- ☒ Third Request for Interference Under 37 C.F.R. § 41.202(a) with Proposed Count and 2 Claim Charts is enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	185	-	183 **	2	LG=\$18 SM=\$9	\$ 36.00
INDEPENDENT CLAIMS FEE	10	-	8 ***	2	LG=\$88 SM=\$44	\$ 176.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$300 SMALL ENTITY FEE = \$150	\$ 0
TOTAL						\$ 212.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ A fee in the total amount of \$212.00 to cover the additional claims is to be charged to Deposit Account No. 50-1066.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
 MARTIN & FERRARO, LLP

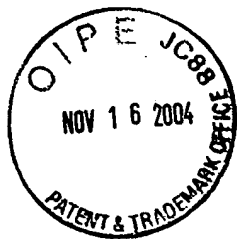
Date: November 15, 2004

By: 

Amedeo F. Ferraro

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Patent
Attorney Docket No. 101.0053-00000
Customer No. 22882
Express Mail Label No. ED541942648US

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Sir:

AMENDMENT

Prior to the further examination of the above-identified application, the following amendments and remarks are submitted:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 21 of this paper.

11/19/2004 AWONDAF1 00000135 501066 08480908

01 FC:1201 176.00 DA
02 FC:1202 36.00 DA